

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

ELDRIDGE HARMON,

Plaintiff(s),

CASE NUMBER: 05-73798  
HONORABLE VICTORIA A. ROBERTS

v.

SECRETARY, ELAINE CHAO,  
DEPARTMENT OF LABOR,

Defendant(s).

ORDER

On October 27, 2005, this Court dismissed Plaintiff Eldridge Harmon's complaint for failure to state a claim over which this Court has subject matter jurisdiction. Plaintiff, a *pro se* litigant, subsequently requested leave to file a consolidated motion that essentially asks the Court to reconsider its Order of dismissal. Plaintiff suggests that the Court may do so by suspending the local rules, per L.R. 1.2. Plaintiff also submits a proposed Second Amended Complaint.

Plaintiff's request for leave to file a consolidated motion and Second Amended Complaint is denied. The Court dismissed Plaintiff's first Amended Complaint for lack of subject matter jurisdiction. That defect is not cured by Plaintiff's proposed consolidated motion or Second Amended Complaint. In his proposed Second Amended Complaint, Plaintiff lists a number of federal statutes that he asserts confers jurisdiction on this Court. However, none of the listed statutes applies inasmuch as Plaintiff files this case as "continuation of" or "supplement to" a complaint filed before the Honorable Paul V.

Gadola which is based on the same underlying facts asserted here. See *Harmon v United States of America*, United States District Court Eastern District of Michigan, Case Number 05-40124. As stated, this Court does not have the authority to review or intervene in a case before another district court, and Plaintiff has not otherwise stated a claim over which this Court has subject matter jurisdiction.

Plaintiff's request for leave to file a consolidated motion and Second Amended Complaint is **DENIED**.

**IT IS SO ORDERED.**

s/Victoria A. Roberts

Victoria A. Roberts  
United States District Judge

Dated: November 22, 2005

The undersigned certifies that a copy of this document was served on the attorneys of record by electronic means or U.S. Mail on November 22, 2005.

s/Linda Vertriest  
Deputy Clerk